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FAIR POLITICAL PRACTICES COMMISSION
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BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of)	FPPC No. 08/390
)	
)	
DAVIS DEMOCRATIC CLUB AND)	STIPULATION, DECISION and
ELIZABETH R. WEIR,)	ORDER
)	
)	
Respondents.)	

Complainant Fair Political Practices Commission, and Respondents Davis Democratic Club and Elizabeth R. Weir agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents, pursuant to Section 83116 of the Government Code.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear at any administrative hearing held in this matter, to be represented by an attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the

1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondents Davis Democratic Club and Elizabeth R.
4 Weir violated the Political Reform Act by failing to file a first preelection campaign statement for the
5 reporting period July 1, 2008, through September 30, 2008 by the October 6, 2008, due date, and a
6 second preelection campaign statement for the reporting period October 1, 2008 through October 18,
7 2008, by the October 23, 2008 due date, in violation of Sections 84200.5, subdivision (d), and 84200.7
8 of the Government Code (1 count); understating and overstating the balance of cash on semiannual
9 campaign statements, in violation of Section 84211, subdivision (e), of the Government Code (1 count);
10 failing to disclose information regarding contributions received and expenditures made of \$100 or more
11 on semiannual campaign statements, in violation of Section 84211, subdivisions (a), (b), (f), and (k) (1
12 count); and failing to maintain proper records to support the campaign statements filed, in violation of
13 Section 84104 of the Government Code (1 count). All counts are described in Exhibit 1, which is
14 attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and
15 accurate summary of the facts in this matter.

16 Respondents agree to the issuance of the Decision and Order, which is attached hereto.
17 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
18 of Nine Thousand Five Hundred Dollars (\$9,500). A cashier's check from Respondents in said amount,
19 made payable to the "General Fund of the State of California," is submitted with this Stipulation as full
20 payment of the administrative penalty, to be held by the State of California until the Commission issues
21 its decision and order regarding this matter. The parties agree that in the event the Commission refuses
22 to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the
23 Commission meeting at which the Stipulation is rejected, all payments tendered by Respondents in
24 connection with this Stipulation shall be reimbursed to Respondents. Respondents further stipulate and
25 agree that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before the
26 Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
27 shall be disqualified because of prior consideration of this Stipulation.
28

1 Dated: _____

2 Gary Winuk, Enforcement Chief,
3 on behalf of the
4 Fair Political Practices Commission

5 Dated: _____

6 Elizabeth R. Weir, Respondent,
7 Individually and on behalf of
8 Davis Democratic Club

1 **DECISION AND ORDER**

2 The foregoing Stipulation of the parties “In the Matter of Davis Democratic Club and Elizabeth
3 R. Weir,” FPPC No. 08/390, including all attached exhibits, is hereby accepted as the final decision and
4 order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

5
6 IT IS SO ORDERED.

7
8 Dated: _____

9 Ann Ravel, Chair
Fair Political Practices Commission